



Nevada Division of Insurance

1818 E. College Pkwy, Suite 103, Carson City, Nevada 89706 **Phone:** (775) 687-0700 **Fax:** (775) 687-0787 **Web:** doi.nv.gov

BAIL AGENCY LICENSING CHECKLIST

EFFECTIVE 7/1/2009

All Business Entities:

"Business entity" refers to a corporation, limited liability company, limited liability partnership and associations or other legal forms of organization. A business entity that is required to be licensed in this state, that transacts insurance without a license, is subject to an administrative fine of not more than \$1,000 per act or violation.

Name Approval: Applicants must contact the Division of Insurance (Division) for a verbal name approval prior to completing any articles of incorporation, articles of organization or amendments with the Secretary of State's (SOS) office, or prior to filing any DBA/Fictitious Firm Name filings with the appropriate Nevada County Clerk's office.

Division Phone: (775) 687-0700

Division General E-mail: insinfo@doi.state.nv.us

Corporations, Limited Liability Companies, Limited Liability Partnerships and Associations, etc.:

Contact the [Nevada Secretary of State](#) (SOS) to obtain forms, instructions and applicable fees.

SOS Phone: (775) 684-5708

SOS Web site: www.nvsos.gov/business/forms/index.asp

Articles of Incorporation (Articles) Purpose Clause: Business entities whose purpose is to engage of the business of insurance are required to file with the SOS must include the following statement within the purpose clause of its Articles of Incorporation, **"To engage as a bail agent, bail enforcement agent and/or general agent for bail in all lines of authority permitted under the license issued in compliance with Nevada Revised Statutes (NRS) and Nevada Administrative Codes (NAC)."** The articles or amendment must be forwarded to the Division of Insurance prior to being filed with the Secretary of State by either of the following methods:

- **Mail the Articles or amendment** to the Division's address with the fee for the SOS in a separate sealed envelope labeled "Secretary of State" or "SOS."
- **Fax the Articles or amendment** to the Division's office. Upon approval of the Articles or amendment, the Division will fax the information to the fax number provided by the applicant for filing with the SOS. The Division's fax number is (775) 687-0787.

Upon the Division's approval of the Articles or amendment, the Division will forward its approval to the SOS for its consideration. When the SOS completes its review and approval process, the business entity will be required to furnish a filed copy of the approved Articles or amendment.

Sole-Proprietorships: Sole proprietors must file a DBA/Fictitious Firm Name with each county clerk's office where they intend to conduct business. A copy of the filing must be provided to the Division along with the licensing application. Contact the appropriate County Clerk's office for filing instructions. Refer to [Chapter 602 of NRS](#) for information on doing business under an assumed or fictitious name.

Uniform Application for Business Entity, Form 325:

Download the National Association of Insurance Commissioner's (NAIC) Uniform Business Entity Application, from the Division's Web site at www.doi.nv.gov.

Fees effective 7/1/2009:

The licensing fee is **\$185**. Fees are payable by check or money order to the Nevada Division of Insurance, and are nonrefundable.

Bail Bondsman Bond Form, Form 330:

Pursuant to [NRS 697.190](#), applicants for a bail solicitor license must provide a \$10,000 surety bond. Applicants for a bail agent license must provide a \$25,000 surety bond. The bond must be an original, must be countersigned by an agent directly appointed by the surety company in this state, and the original Power of Attorney form must be attached to the bond.

A bond must remain in force until released by the Commissioner, or cancelled by the surety. Without prejudice to any liability previously incurred under the bond, the surety may cancel the bond upon 30 days' advance written notice to the licensee and the Commissioner.

Appointment /Affiliation Requirements:

An applicant for a bail license must either be appointed by an authorized surety company or be affiliated with a bail agency. If the applicant is applying as an independent bail agent the appointment form must accompany the application.

Appointment or Affiliation:

An affiliated applicant/licensee works through the business entity affiliation. Independent bail agent applicants must provide and maintain a supporting appointment from an authorized surety.

Termination of Appointment/Affiliation:

Upon the issuance of a license by the Division, the licensee must maintain either an appointment or agency affiliation. Upon termination of all the bail agent's appointments or agency affiliation, and the licensees' failure to replace the appointment or affiliation within 30 days of the cancellation, the license expires and the license must be delivered to the Commissioner.

Licensing Prohibitions:

Pursuant to Nevada Revised Statute (NRS) 697.170 (2), a person is not entitled to receive, renew or hold a license as a bail solicitor if he:

- (a) Has been convicted of a felony in this state or of any offense committed in another state which would be a felony if committed in this state; or
- (b) Has been convicted of an offense involving moral turpitude or the unlawful use, sale or possession of a controlled substance.

Uniform Application for Individual Insurance Producer License, Form 327:

Resident bail individuals who are not currently licensed in Nevada must submit the Uniform Application for Individual Insurance Producer License application, Form 327. The authorized to act bail licensees fee is **\$245** (\$185plus \$60 for the agency affiliation).

Bail Residency Questionnaire, Form 334C:

A Bail Agent must be a resident of this state and have resided in this state for not less than 1 year immediately preceding the date of the application for the license. A Bail Solicitor must be a resident for 3 months prior to applying for a license.

Nevada Approved Prelicensing Education Sponsors, Form 343, and Applicant Information for the State Insurance Examination, Form 352:

An applicant for a bail agent license must take and pass a six hour course of pre-licensing education specifically for bail agents. A resident applicant must take and successfully pass the state insurance exam administered through the Nevada Division of Insurance (Division) insurance exam vendor, [Pearson VUE](#) (formerly known as Promissor), in the line(s) of authority for which the applicant is applying. The original Prelicensing Education Certificate of Completion and the original Pearson VUE test examination score reports must be provided with the application.

Local Law Enforcement Print Out:

NRS 697.183(3)A letter from a local law enforcement agency in the applicant's county of residence which indicates that the applicant:

- (a) Has not been convicted of a felony in this state or of any offense committed in another state which would be a felony if committed in this state; and
 - (b) Has not been convicted of an offense involving moral turpitude or the unlawful use, sale or possession of a controlled substance.
- (Added to NRS by 1997, 3382)

Collateral Account and County Clerk Filings:

If the applicant has applied for an independent bail agent license, upon the issuance of the license the licensee must provide the Division with evidence of a collateral account, and documentation indicating the counties in which the agent has filed the surety's power of attorney with the County Clerks Office. Pursuant to [NRS 697.320](#), copies of these filings must be provided to the Division within 10 days of the date of issuance of the license.

Proposed Doing Business As (DBA) Names or Fictitious Names:

[NRS 683A.301](#) sets forth the requirements approval or disapproval of the use of a fictitious name. Contact the Division for name approval prior to filing a fictitious name with the County Clerks' Office. A DBA or fictitious name may only be used by the licensee and must be listed together with the licensee's true name for advertising purposes.

M-8A Collateral and Disbursement and Forfeiture Log, Form 334 M8A**M-8C Early Surrender of Defendant, Form 334 M8C:**

The M8C Form must be provided to the Division within 30 days of surrendering a defendant back into custody.

Nevada Approved Bail Continuing Education Course (Bail CE), Form 351:

Questions: Contact the Division's Producer Licensing Section in Carson City at (775) 687-4270, option 1, or in Las Vegas at (702) 486-4595 or anywhere in Nevada toll free at (800) 992-0900.

Nevada's laws and regulations are available online at www.leg.state.nv.us or www.doi.nv.gov. Producer Licensing Section forms can be found by logging on to www.doi.nv.gov.

Fees:

Bail Corporation	\$ 185.00
Authorized Bail Agent under corporation	\$ 245.00
Appointment (each appointment)	\$ 15.00
Total Fees	\$ 445.00

Bail Bondsman Bulletin:

NAC 697.130 outlines seven activities that only licensed bail agents may perform. No person other than a licensee may:

1. Complete an application for a bail bond, other than filling in the initial statistical information.
2. Execute the surety contract, other than clerical preparation of a surety contract under the direct and immediate supervision of the licensee.
3. Execute a collateral receipt, other than clerical preparation of the receipt under the direct and immediate supervision of the licensee.
4. Post a bond with a court or with a jail in which a defendant is confined or have any communication with a defendant while he is confined, except to obtain statistical information sufficient to refer the matter to the licensee. Any natural person may post a bond on behalf of a defendant if the person is not regularly engaged in the business of providing bail bonds.
5. Appear on behalf of the licensee at a court proceeding for the purpose of obtaining continuation, exoneration or reduction of a posted bond, or obtaining other court action on it.
6. Solicit bail bond business on behalf of a licensee.
7. Perform any other function of a licensee.

Questions: Contact the Division's Producer Licensing Section in Carson City at (775) 687-0700, option 1, in Las Vegas at (702) 486-4595 or anywhere in Nevada toll free at (800) 992-0900.

Title 57 of the Nevada Revised Statutes (NRS) governs the business of insurance. Nevada's laws and regulations are available online at www.leg.state.nv.us or www.doi.nv.gov. Producer Licensing Section forms can be found by logging on to www.doi.nv.gov.